

AF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Olie KORSGREN et al

Application No.: 09/890,936

I. A. Filing Date: February 4, 2000

Filed: November 7, 2001

For: ...NOVEL USE WITHIN TRANSPLANTATION SURGERY

Customer Service Window, Mail Stop Amendment

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Randolph Building, 401 Dulany Street
Alexandria, Virginia 22314



Art Unit: 1614

Examiner: Donna A. Jagoe

Washington, D.C.

Atty.'s Docket: KORSGREN=1

Confirmation No.: 9165

Date: April 4, 2007

Sir:

Transmitted herewith is a REPLY TO FINAL ACTION: REMARKS AND SUBMISSION OF SECOND DECLARATION UNDER 37 CFR 1.132 in the above-identified application.

[X] Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.

[X] No additional fee is required.

[] The fee has been calculated as shown below:

| | (Col. 1) | (Col. 2) | (Col. 3) |
|---|---|---------------------------------------|----------------------------|
| | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA EQUALS |
| TOTAL | * 17 | MINUS ** 23 | 0 |
| INDEP. | * 4 | MINUS *** 4 | 1 |
| FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | |

ADDITIONAL FEE TOTAL

| SMALL ENTITY | |
|----------------------|-------------------|
| RATE | ADDITIONAL FEE |
| x 25 | \$ |
| x 100 | \$ |
| + 180 | \$ |
| ADDITIONAL FEE TOTAL | |

| OTHER THAN SMALL ENTITY | |
|-------------------------|-------------------|
| RATE | ADDITIONAL FEE |
| x 50 | \$ |
| x 200 | \$ |
| + 360 | \$ |
| TOTAL | |

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[X] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

- [] First - \$ 60.00
- [] Second - \$ 225.00
- [] Third - \$ 510.00
- [] Fourth - \$ 795.00

Month After Time Period Set

[] Less fees (\$_____) already paid for ____ month(s) extension of time on _____.

Other Than Small Entity

Response Filed Within

- [] First - \$ 120.00
- [] Second - \$ 450.00
- [] Third - \$ 1020.00
- [] Fourth - \$ 1590.00

Month After Time Period Set

[] Please charge my Deposit Account No. 02-4035 in the amount of \$_____.

[] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$_____.

[] A check in the amount of \$_____ is attached (check no.).

[X] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK, P.L.L.C.

Attorneys for Applicant(s)

By: 
Sheridan Neimark
Registration No. 20,520



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: KORSGREN=1

In re Application of:) Confirmation No.: 9165
Olie KORSGREN et al)
I.A. Filing Date: 02/04/2000) Examiner: Donna A. Jagoe
371(c) Date: November 7, 2001)
U.S. Appln. No.: 09/890,936) April 4, 2007
For: NOVEL USE WITHIN)
TRANSPLANTATION SURGERY)

**REPLY TO FINAL ACTION: REMARKS AND
SUBMISSION OF SECOND DECLARATION UNDER 37 CFR 1.132**

Customer Service Window, Mail Stop Amendment
Honorable Commissioner for Patents
U.S. Patent and Trademark Office
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401 Dulany Street
Alexandria, Virginia 22314

Sir:

This will reply to the final Official Action of January 5, 2007, which has been carefully studied. The claims in the application remain as claims 4, 8, 9, 11 and 14-26. The claims define both novel and unobvious subject matter and should be allowed. Filed herewith is a second declaration under 37 CFR 1.132 executed by the three applicants and inventors. Applicants respectfully request reconsideration, entry of the attached declaration, and allowance.